

Appl. No. 09/667,434
 Reply to Office action of May 17, 2005
 Atty. Docket No. AP628US

REMARKS/ARGUMENTS

The undersigned thanks the examiner for discussing a draft response by telephone earlier today and explaining his interpretation of the wording of claim 1.

In the office action, claims 25-29, 33-37, 56-64, 66 and 67 were withdrawn from consideration. Claims 4-24, 30-32, 38-55 and 65 were allowed, claim 1 was rejected and claims 2 and 3 were objected to as dependent upon a rejected base claim. It was indicated that claims 2 and 3 would be allowable if rewritten in independent form to include the limitations of the base claim.

Claims 2 and 3 have been rewritten as specified and so are allowable.

It is submitted that, claims 66 and 67 are dependent upon claim 1, they should not have been withdrawn from consideration. It is requested that they be reinstated. In fact, new claims 68 - 75, dependent upon one or other of independent claims 2, 3, 4 and 38, have been added.

Claim 1 was rejected under 35 U.S.C. § 102(b) as anticipated by the QED disclosure. As discussed during the telephone interview, the applicant took the position that the examiner had misinterpreted original present claim 1 in order to read it onto the QED disclosure. Original claim 1 required "means (22A...22D,44,76,80-96) for supplying *audio signals* to the audio transducers (14A(L),14A(R)) and transferring *at least one of power and data signals* between said audio distribution unit (10) and said remote unit (34A), *all by way of the four conductors*". The examiner stated that this clause was met by QED's "Data Pair on conductors 1 and 2 and audio, i.e., power, on 3 and 5".

The QED system uses a six conductor cable which comprises three twisted pairs. As explained on page B15 of the QED document, one twisted pair is for D.C. transmission, and the other two twisted pairs are for the left and right channels. As can be seen from page B1, the LEFT channel twisted pair comprises conductors 3 and 4 and the RIGHT channel twisted pair comprises the conductors 5 and 6. In practice, conductors 3 and 4 would be connected to the terminals of the LEFT speaker and conductors 5 and 6 would be connected to the terminals of the RIGHT speaker. One could not simply connect conductors 3 and 5 and leave conductors 5 and 6 disconnected because there would be no return path for the audio signals.

The QED system must use all six conductors to transmit the LEFT and RIGHT audio signals and the D.C. data signal. It simply will not work if only four of those conductors are used. In contrast, embodiments of the present invention, as defined in claim 1, need only four conductors to transmit the LEFT and RIGHT audio signals and either or both of the power and data signals.

Notwithstanding that, since the examiner maintained that it was possible to read the last five lines of claim 1 onto the QED system, by taking the four conductors of claim 1 to be conductors 1, 2, 3 and 5 of the QED disclosure, claim 1 has been amended to preclude any possibility of such an interpretation. In particular, claim 1 now specifies that the audio signals are supplied to each of the audio transducers by way of a respective pair of the four conductors, and the power or data signals are transferred by way of at least two of said four conductors.

In view of the foregoing, it is submitted that claim 1 is patentable over the QED disclosure and the applicant respectfully requests early and favourable reconsideration and allowance of the application.



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